

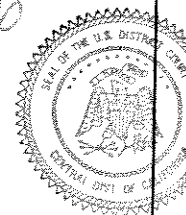
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
FRANCISCO OROZCO,
Defendant.

NO.: 06-1968 M
ORDER OF DETENTION AFTER HEARING
(18 U.S.C. § 3142(i))

I hereby attest and certify on 11/21/06
that the foregoing document is a full, true
and correct copy of the original on file in
my office, and in my legal custody.

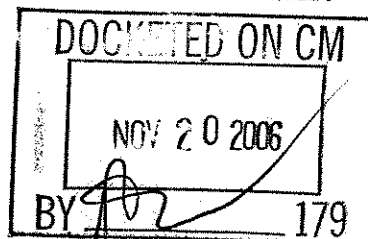
CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
DEPUTY CLERK



I.

- A. ☒ On motion of the Government involving an alleged
1. ☐ crime of violence;
 2. ☐ offense with a maximum sentence of life imprisonment or death;
 3. ☒ narcotic or controlled substance offense with a maximum sentence of ten or more years;
 4. ☐ felony - the defendant has been convicted of two or more prior offenses described above.

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B. On motion (☒) by the Government/() by the Court sua sponte involving:

1. (☒) a serious risk that defendant will flee;

2. () a serious risk that defendant will

a. () obstruct or attempt to obstruct justice;

b. () threaten, injure or intimidate a prospective witness or juror or attempt to do so.

C. The Government (☒) is/() is not entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure the defendant's appearance as required and the safety of any person or the community.

II.

The Court finds that no condition or combination of conditions will reasonably assure:

A. (☒) the appearance of the defendant as required;
and/or

B. (☒) the safety of any person or the community.

III.

The Court has considered:

A. (☒) the nature and circumstances of the offenses;

B. (☒) the weight of evidence against the defendant;

C. (☒) the history and characteristics of the defendant;

D. (☒) the nature and seriousness of the danger to any person or the community.

IV.

The Court has considered all the evidence adduced at the hearing, the argument or statements of counsel, ~~and~~ the Report of Pre-Trial Services, and the "No Bail" Warrant issued by the charging District of Hawaii.

V.

The Court finds that:

A. ☒ The defendant poses a risk to the safety of other persons or the community because: of the seriousness of the allegations in this presumption case.

B. ☒ The history and characteristics of the defendant indicate a serious risk that the defendant will flee because: he is a citizen of Mexico and is present in the United States illegally. He also has failed to appear to respond to a traffic citation.

C. ☐ A serious risk exists that the defendant will:

1. ☐ obstruct or attempt to obstruct justice;
2. ☐ threaten, injure or intimidate a witness or juror;
3. ☐ attempt to threaten, injure or intimidate a witness or juror;

because: _____

1 D. (X) The defendant has not rebutted by sufficient evidence
2 to the contrary the presumption provided in 18 U.S.C.
3 § 3142(e).
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5 IT IS ORDERED that the defendant be detained prior to trial.

6 IT IS FURTHER ORDERED that the defendant be confined as far as
7 practicable in a corrections facility separate from persons awaiting
8 or serving sentences or persons held pending appeal.

9 IT IS FURTHER ORDERED that the defendant be afforded reasonable
10 opportunity for private consultation with counsel.

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12 DATED:

November 9, 2006

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14 Margaret A. Nagle

15 MARGARET A. NAGLE
16 United States Magistrate Judge
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